

REMARKS

Claims 1-10, 15, 16, 25 and 26, all the claims pending in the application, stand rejected. Applicant will overcome the rejection on the basis of Applicant's claim to priority. Further, claims 1, 2, 15 and 25 have been amended solely for purposes of clarity and not for purposes of patentability. In particular, consistent with the original teachings of the application, Applicant has specified that the total personal password comprises (1) personal identification information that includes at least a cell phone number, and (2) the personal record data derived from a performance. Applicant felt that the original language defining the total personal password was somewhat unclear in this regard. Thus, no new issues are raised and no new search is required, and the present amendment should be entered. Applicant respectfully submits that all of the claims now are allowable.

Claim to Priority

Applicant notes that the Examiner has acknowledged receipt of the Applicant's claim to priority as well as the certified copy of the priority document. Applicant is submitting herewith a verified translation of the priority document, thereby perfecting Applicant's claim to priority.

Claim Rejections- 35 USC 103

Claims 1-10, 15-16 and 25-26 are rejected under 35 USC 103(a) as being unpatentable over Walker et al (6,224,486) in view of Lydon et al (6,569,012). This rejection is traversed for at least the following reasons.

As a preliminary matter, Applicant respectfully submits that Lydon et al should be withdrawn as a reference on the basis of Applicant's claim to priority. Thus, the rejection would fail, as Walker et al alone is insufficient to render the invention unpatentable, by the Examiner's

own admission at page 3 of the Office Action. In particular, the Examiner is requested to note the following:

1. Applicant claimed priority from Japanese application No 2000-159530, having a priority date of May 30, 2000.
2. Applicant filed certified copies of the priority documents and the receipt thereof was acknowledged by the Examiner in the previous Office Action.
3. The Lydon patent has a U.S. filing date of only January 8, 2002, a date that is after the US filing date of the present application.
4. The Lydon patent claims priority from Provisional Application 60/260,610, having a filing date of January 9, 2001. However, the Examiner has not provided any evidence that the Provisional Application from which Lydon claims priority is relevant prior art, either in relevant disclosure or enabling content.
5. Applicant has removed Lydon et al, even on the basis of the Provisional filing date, by submitting the enclosed verified translation of the priority document.

Turning next to the substance of the Applicant's invention, Applicant first notes that the invention has been clarified by certain amendments to claims 1, which are fully supported by the original disclosure. These changes are not made for purposes of patentability, as the rejection clearly is overcome on the basis of Applicant's claim to priority.

The present invention is exemplified in the communication system illustrated in Figs. 1 and 2 of the present application. The illustrated communication system uses a game machine

(specified by the recording medium 10 and the memory card 11. as described at page 7, lines 14 to 15 of the specification), and a cell phone illustrated in Fig. 2. As described on page 7, , the memory card 11 has a personal information storage area for storing personal identification information which includes a player's name and a phone number assigned to a cell phone of a user or a bearer (lines 20 to 23). Such personal identification information is combined with a password obtained from results of practice and issued as a total personal password (as illustrated in Fig. 1). Thus, the total personal password carries not only (1) the results of practice but also (2) the cell phone number.

The total personal password is transferred to the cell phone of the user and is sent to a center side (page 8, line 2 from the bottom to page 9, line 8).

It should be noted that a calling number display service is installed in the cell phone (page 9, lines 11 to 16) and, as a result, the phone number of the cell phone is visually or automatically displayed on the center side.

Under the circumstances, the center side can correlate the displayed phone number with that decrypted from the total personal password, as mentioned on page 9, line 2 from the bottom to page 10, line 14 of the specification.

Given the fact that Lloyd et al is no longer pertinent to the patentability of the invention, only Walker et al need be considered. Applicant respectfully submits that Walker et al (6224486) does not teach or suggest the use of a combination of a game machine and a cell phone to implement an audition system and to identify candidates by collating cell phone numbers included in a total personal password and sent by the calling number display service.

AMENDMENT UNDER 37 C.F.R. § 1.116
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Moreover, the Examiner has admitted that Walker et al has significant deficiencies with respect to the present invention.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

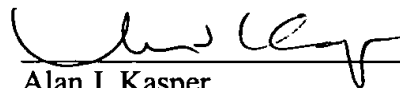
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